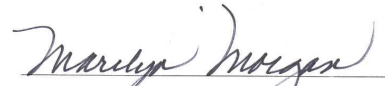




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8 Email: bill@mclaw.org

The following constitutes
the order of the court. Signed October 16, 2009


Marilyn Morgan
U.S. Bankruptcy Judge

Attorneys for Movant

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

In re
JACINTO MANCILLAS and MARIA ELENA
MANCILLAS,
Debtors.

) Bankruptcy No. 09-51700
) RS No. WGM-2169
) Chapter 13

EMC MORTGAGE CORPORATION as servicer
for WELLS FARGO BANK, NATIONAL
ASSOCIATION as Trustee for the
Certificateholders of STRUCTURED ASSET
MORTGAGE INVESTMENTS II INC.,
GREENPOINT MTA TRUST 2005-AR3,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-AR3, and its
successors and/or assignees,

**ORDER TERMINATING AUTOMATIC
STAY**

HEARING DATE:
DATE: September 30, 2009
TIME: 3:00 PM
CTRM: 3070

Movant,
vs.
JACINTO MANCILLAS and MARIA ELENA
MANCILLAS, Debtors, and DEVIN DERHAM-
BURK, Trustee,
Respondents.

A Motion For Relief From The Automatic Stay was noticed in the within matter and filed by EMC MORTGAGE CORPORATION as servicer for WELLS FARGO BANK, NATIONAL ASSOCIATION as Trustee for the Certificateholders of STRUCTURED ASSET MORTGAGE INVESTMENTS II INC., GREENPOINT MTA TRUST 2005-AR3, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-AR3, and its successors and/or assignees

1 (“Movant”). Said Motion was heard before the Honorable MARILYN MORGAN, United States
2 Bankruptcy Judge on September 30, 2009. There was no pleading in opposition filed by the
3 Debtors, JACINTO MANCILLAS and MARIA ELENA MANCILLAS, or the Trustee, DEVIN
4 DERHAM-BURK.

5 The Court, having read the various pleadings, documents and proceedings herein
6 and proper service having been made, and having found cause to terminate the automatic stay
7 herein, hereby makes its Order as follows:

8 IT IS HEREBY ORDERED that in regard to the real property located at 1467
9 Toluca Way, Madera, CA 93638 the automatic stay is terminated as to the Debtors and the
10 Bankruptcy Estate and Movant may proceed with and consummate its foreclosure proceedings in
11 all respects, and/or fully enforce all of its rights under its Note and Deed of Trust and Movant may
12 further take any acts or institute and complete any proceedings necessary to obtain possession of
13 the above real property in the event Movant is the successful purchaser of such property at
14 foreclosure sale or in the event Movant otherwise acquires title to such property. The 10-day stay
15 provided by Bankruptcy Rule 4001(a)(3) is waived.

16 ** END OF ORDER **
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COURT SERVICE LIST

JACINTO MANCILLAS and MARIA ELENA MANCILLAS
1318 1ST STREET
SALINAS, CA 93905

T. KEVIN DOUGHERTY
601 SOUTH MAIN STREET
SALINAS, CA 93901

DEVIN DERHAM-BURK
P.O. BOX 50013
SAN JOSE, CA 95150-0013

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